

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant
-----X

In re:

BERNARD L. MADOFF,

Debtor.
-----X

IRVING PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff

v.

BSI AG, individually and as
successor-in-interest to
BANCO DEL GOTTARDO,

Defendant.
-----X

No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01209 (BRL)

**MOTION OF DEFENDANT BSI AG
TO WITHDRAW THE REFERENCE TO THE BANKRUPTCY COURT**

TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK:

PLEASE TAKE NOTICE that, upon the annexed declaration of Charles C. Platt, sworn to April 18, 2012, and the accompanying memorandum of law, defendant BSI AG ("BSI") respectfully moves the United States District Court for the Southern District of New York for entry of an order, pursuant to 28 U.S.C. § 157(d), Rule 5011(a) of the Federal Rules of Bankruptcy Procedure, and Rule 5011-1 of the Local Rules of the Bankruptcy Court, withdrawing the reference of the above-captioned action to the United States Bankruptcy Court for the Southern District of New York.

BSI has made no prior request to this Court or to any other court for the relief requested by this Motion.

By making this motion, BSI does not waive, and expressly reserves, all rights, remedies and defenses, including, without limitation, all defenses based on lack of personal jurisdiction and improper service of process.

WHEREFORE, BSI respectfully requests that the Court enter an order granting the relief requested herein, and such other further relief as the Court deems just and appropriate.

Dated: New York, New York
April 17, 2012

WILMER CUTLER PICKERING HALE AND
DORR LLP

/s/ Charles C. Platt

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